

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 02 THE HAGUE 000449

SIPDIS

DEPARTMENT FOR L - TAFT/SCHWARTZ, L/UNA -  
MATHIAS/LAMOTTE/COGAN

E.O. 12958: N/A

TAGS: [AFIN](#) [AORC](#) [ICJ](#)

SUBJECT: ICJ: FENCE PROCEEDINGS EXPECTED TO SPARK

DEMONSTRATIONS IN THE HAGUE

REF: A. THE HAGUE 00290

[1B. WWW.ICJ-CIJ.ORG/ICJWWW/IDOCKET/IMWP/IMWPFRAME .HTM](#)

**11.** (SBU) Summary. On February 23-25, the International Court of Justice (ICJ) will hold hearings on the United Nations General Assembly (UNGA) request for an Advisory Opinion on the legality of the so-called "Israeli fence" - the controversial structure being built by Israel to serve as a security barrier dividing Palestinians from Israelis. While 44 governments, Palestine and three organizations (UN, Arab League and Organization of the Islamic Conference) submitted written comments, only 13 governments, representatives of Palestine, and two organizations (the Arab League and OIC) have signed up to participate in the oral hearings. None of the governments which urged the Court to decline to address the legality of the Fence (see ref a) will present oral arguments, leaving the hearing to be a one-sided affair, with Palestine leading off with a full-morning presentation on the 23d. The proceeding is expected to spark competing demonstrations of pro-Israeli and pro-Palestinian groups outside the Peace Palace, the ICJ's home, with one Israeli organization planning to bring the burnt-out carcass of a bus that was blown up in a Palestinian terrorist attack. A CODEL consisting of Rep. Wexler (R-Fla) and Rep. Chabat (R-Ohio) will reportedly address demonstrators on Feb. 23. End Summary.

**12.** (SBU) The ICJ is in the last phases of preparing for next week's hearing of the UNGA's request for an Advisory Opinion as to the legality of the Israeli security barrier, or fence.

The Court has issued a schedule of the proceedings, which will take place on the mornings of February 23, 24 and 25 and the afternoons of February 23 and 24. The sixteen participants in the oral phase of the hearing reflect one-third of the submissions made by governments and organizations, and most, if not all, of the speakers are likely to ask the Court to advise that the fence is contrary to international law. The position of Turkey remains uncertain and there are indications that it may decide at the last minute not to participate. The Court has also arranged, for the first time in its history, for live video-streaming of the proceedings on its website (ref b), which will also be available in transcript and archived video formats. The schedule is as follows with each day being divided into two 3 hour sessions:

Feb. 23  
AM: Palestine  
PM: South Africa, Algeria, Saudi Arabia, Bangladesh

Feb. 24  
AM: Belize, Cuba, Indonesia, Jordan  
PM: Madagascar, Malaysia, Senegal

Feb. 25  
AM: Sudan, Turkey, League of Arab States, OIC

**13.** (SBU) Demonstrations and activities will begin on Feb. 21, with anti-Fence groups organizing symposia, activists meetings, and photo exhibits. On Feb. 23, up to 1000 pro-Israeli and pro-Palestinian demonstrators are expected to march on the Peace Palace. Hague authorities have enlisted the help of riot police and have staggered the demonstrations to help avoid hostile confrontations and control any crowds. One group that has been the focus of both the media and the local Hague authorities is Zaka, an orthodox Jewish organization that is well-known for gathering the remains of victims of terrorist attacks in Israel and ensuring a proper Jewish burial. Zaka is transporting to the Hague the burned-out carcass of a bus blown-up by a suicide bomber in Jerusalem. A spokesman for the group says that the bus is supposed to emphasize how much terrorism dominates everyday life in Israel. The project is funded by a Dutch foundation, Christians for Israel. City Councilors in The Hague have expressed concern that the bus, which will be parked in front of the ICJ and also shuttled around the city on a truck, will provoke violent reactions from pro-Palestinian groups. Embassy RSO is also trying to confirm reports that pro-Palestinian groups will be bringing a vehicle blown up by an Israeli missile strike. Organizations participating in demonstrations include B'nai Brit, Israel Project of

Washington DC (headed by Jennifer Laszio Mizrahi), Foundation for the Defense of Democracies, Zaka, Christians for Israel, World Union of Jewish Students, Israel Information and Documentation Center (CIDI), Arab European League (AEL) and the Dutch Palestinian Committee.

¶4. (SBU) A CODEL consisting of Rep. Wexler (R-Fla) and Rep. Chabat (R-Ohio) arrives Feb. 23. The Congressmen are scheduled to address demonstrators on Feb. 23, in addition to participating in a press conference hosted by B'nai Brith. The Foundation for the Defense of Democracies (a non-religious but pro-Israeli American NGO whose board of Directors includes Steve Forbes, Jack Kemp, and Jeane Kirkpatrick) will also host a press conference featuring its Vice-Chairman, former US Ambassador Richard Carlson on Feb. 23. The Foundation will also host a photo exhibition Feb. 23-24 portraying a history of the victims of terrorism.

RUSSEL